

JUN. 28. 2004 7:16PM TOWNSEND & TOWNSEND

NO. 5842 P. 1

Atty Docket No. 019282-000210US

PTO FAX NO.: 1.703.872.9306
TELEPHONE NO.: 1.703.308.6232
ATTENTION: Examiner Leffers Jr., Gerald G, Group Art Unit 1636

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FOR THE PERSONAL ATTENTION OF
EXAMINER Leffers Jr., Gerald G

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CERTIFICATION OF FACSIMILE TRANSMISSION


I hereby certify that the following document(s) in re Application of BARRETT et al., Application No. 09/675,525, filed September 29, 2000 for COMPOUNDS DISPLAYED ON REPLICABLE GENETIC PACKAGES AND METHODS OF USING SAME is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Transmittal Form (1 page)
2. Communication (2 pages)
3. Copy of Fax Cover Sheet to USPTO sent March 1, 2004 (1 page)
4. Copy of Confirmatory Fax Transmittal sent March 1, 2004 (1 page)
5. Copy of Communication faxed to USPTO on March 1, 2004 (2 pages)
6. Transmittal Form to September 3, 2003 mailing (1 page)
7. Amendment (20 pages)
8. Copy of confirmatory postcard and Express Mail label to September 3, 2003 mailing (2 pages)

Number of pages being transmitted, including this page: 31

Dated: June 28, 2004


Tara N. Damhoff

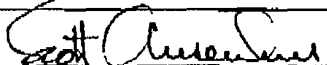
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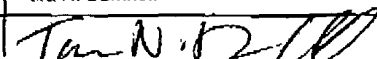
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 303-571-4000
Fax: 303-571-4321

PTO/SB/21 (08-03)

| | | | |
|--|--|------------------------|-----------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 09/675,525 |
| | | Filing Date | September 29, 2000 |
| | | First Named Inventor | Barrett, Ronald W. |
| | | Art Unit | 1636 |
| | | Examiner Name | Leffers Jr., Gerald G |
| Total Number of Pages in This Submission | | Attorney Docket Number | 019282-000210US |

| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> -Return Postcard -Communication -Copy of Fax Cover Sheet to USPTO sent March 1, 2004 -Copy of Confirmatory Fax Transmittal sent March 1, 2004 -Copy of Communication faxed to USPTO on March 1, 2004 -Transmittal Form to September 3, 2003 mailing -Copy of confirmatory postcard and Express Mail label to September 3, 2003 mailing |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual | Townsend and Townsend and Crew LLP Scott J. Ausenhus Reg. No. 42,271 |
| Signature |  |
| Date | June 28, 2004 |

| CERTIFICATE OF MAILING | |
|--|--|
| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 672-9306 on June 4, 2004. | |
| Typed or printed name | Tara N. Damhoff |
| Signature |  Date June 28, 2004 |

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NO. 5842 P. 3

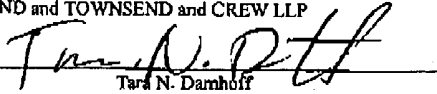
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Fax No. 1.703.872.9306 on June 28, 2004.

PATENT
Docket No.: 019282-000210US
Client Ref. No.: X-0002R1

TOWNSEND and TOWNSEND and CREW LLP

By:


Tara N. Darnhoff

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BARRETT et al.

Application No.: 09/675,525

Filed: September 29, 2000

For: COMPOUNDS DISPLAYED ON
REPLICABLE GENETIC PACKAGES
AND METHODS OF USING SAME

Examiner: Leffers Jr., Gerald G

Art Unit: 1636

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication and attached papers are filed at the request of Examiner Gerald Leffers and in response to the Office Communication mailed June 3, 2004. Based on a conversation with Examiner Leffers and the Communication, it appears that the Patent Office is unable to locate the copy of the date-stamped postcard that was faxed to the Office on March 1, 2004. The postcard was faxed to the Patent Office, together with copies of the Amendment originally filed by Express Mail on September 3, 2003, to demonstrate prior receipt by the Office of the September 3, 2003 Amendment, which was filed in response to the Office Action mailed June 3, 2002.

BARRETT et al.
Application No.: 09/675,525
Page 2

PATENT

The following materials sent on March 1, 2004 are thus resubmitted to demonstrate receipt by the Office on September 3, 2003 of a response to the June 3, 2003 Office Action:

- 1) Copy of fax cover page itemizing copies of documents faxed to the Office on March 1, 2004 that had previously been filed on September 3, 2003 in response to the June 3, 2003 Office Action;
- 2) Copy of March 1, 2004 Communication;
- 3) Confirmation copy of March 1, 2004 fax cover page response;
- 4) Copy of September 3, 2003 transmittal paper;
- 5) Copy of the Amendment originally filed September 3, 2003 in response to the Office Action mailed June 3, 2003;
- 6) Copy of the date-stamped postcard showing receipt of the September 3, 2003 Amendment by the U.S. Patent Office on September 3, 2003; and
- 7) Copy of Express Mail label for the September 3, 2003 Amendment.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303.571.4000.

Respectfully submitted,



Scott L. Ausenhus
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
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NO. 5842 P. 5

Atty Docket No. 019282-000210US

PTO FAX NO.: 1.703.872.9306

ATTENTION: Examiner Leffers Jr., Gerald G
TELEPHONE NO.: 1.703.308.6232

Group Art Unit 1636

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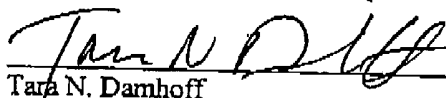
I hereby certify that the following document(s) in re Application of BARRETT et al., Application No. 09/675,525, filed September 29, 2000 for COMPOUNDS DISPLAYED ON REPLICABLE GENETIC PACKAGES AND METHODS OF USING SAME is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Communication
2. Transmittal Form
3. Copy of confirmatory postcard and Express Mail label
4. Amendment

Number of pages being transmitted, including this page: 26

Dated: March 1, 2004


Tara N. Damhoff

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Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 303-571-4000
Fax: 303-571-4321
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NO. 5842 P. 6

P. 1

* * * COMMUNICATION RESULT REPORT (MAR. 1. 2004 4:42PM) * * *

TTI TOWNSEND & TOWNSEND

TRANSMITTED/STORED MAR. 1. 2004 4:36PM
FILE MODE OPTION

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REASON FOR ERROR
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E-3) NO ANSWER

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Atty Docket No. 019282-000210US

PTO FAX NO.: 1.703.872.9306

ATTENTION: Examiner Leffers Jr., Gerald G
TELEPHONE NO.: 1.703.308.6232

Group Art Unit 1636

OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER Leffers Jr., Gerald G

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following document(s) in re Application of BARRETT et al., Application No. 09/673,523, filed September 29, 2000 for COMPOUNDS DISPLAYED ON REPLICABLE GENETIC PACKAGES AND METHODS OF USING SAME is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Communication
2. Transmittal Form
3. Copy of confirmatory postcard and Express Mail label
4. Amendment

Number of pages being transmitted, including this page: 26

Dated: March 1, 2004


Tara N. Damhoff

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PATENT
Docket No.: 019282-000210US
Client Ref. No.: X-0002R1

TOWNSEND and TOWNSEND and CREW LLP

By: Tam W. Deth

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BARRETT et al.

Application No.: 09/675,525

Filed: September 29, 2000

For: COMPOUNDS DISPLAYED ON
REPLICABLE GENETIC PACKAGES
AND METHODS OF USING SAME

Examiner: Leffers Jr., Gerald G

Art Unit: 1636

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication and attached papers are filed at the request of Examiner Gerald Leffers. Examiner Leffers indicated in a phone conversation with the undersigned on March 1, 2004, that a copy of the Office Action response filed on September 3, 2003 had not been scanned into the Office's computer system and that the hard copy had not been matched up with the file. Accordingly, Examiner Leffers requested that a copy of the papers filed On September 3, 2003 and a date-stamped postcard showing receipt by the Office be sent by facsimile so the Office could update its files.

Accordingly, the following items associated with the September 3, 2003 response are submitted:

- 1) Copy of transmittal paper;


BARRETT et al.
Application No.: 09/675,525
Page 2

PATENT

- 2) Copy of amendment; and
- 3) Copy of date-stamped postcard showing receipt of the response by the U.S. Patent Office on September 3, 2003.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303.571.4000.

Respectfully submitted,



Scott L. Ausenhus
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
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PTO/SB/21 (05-03)

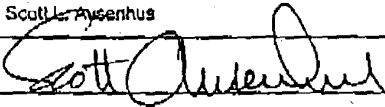
Approved for use through 04/30/2003. OMB 0651-0031

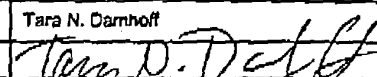
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| | | |
|---|------------------------|-----------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/675,525 |
| | Filing Date | September 29, 2000 |
| | First Named Inventor | Barrett, Ronald W. |
| | Art Unit | 1636 |
| | Examiner Name | Leffers Jr., Gerald G |
| Total Number of Pages in This Submission | Attorney Docket Number | 019282-000210US |

| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual | Townsend and Townsend and Crew LLP Scott L. Aysenhus Reg. No. 42,271 |
| Signature |  |
| Date | September 3, 2003 |

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| I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date September 3, 2003 and is addressed to: | |
| Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 | |
| Typed or printed name | Tara N. Damhoff |
| Signature |  |
| Date | September 3, 2003 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form

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NO. 5842 P. 10

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Date of Deposit September 3, 2003

PATENT

Attorney Docket No.: 019282-000210US

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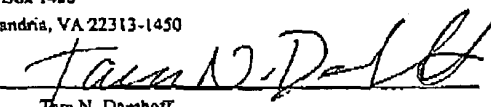
Mail Stop Non-Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

By:


Tara N. Damhoff

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ronald W. Barrett

Application No.: 09/675,525

Filed: September 29, 2000

For: COMPOUNDS DISPLAYED ON
REPLICABLE GENETIC PACKAGES
AND METHODS OF USING SAME

Examiner: Leffers Jr., Gerald G.

Technology Center/Art Unit: 1636

AMENDMENT

Mail Stop Non-Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Office Action mailed June 3, 2003. The deadline for filing a response is September 3, 2003. Accordingly, this amendment is timely filed.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 19 of this paper.